

their rates will be re-evaluated. Some railroads may not even qualify for affordable insurance coverage. As small railroads are hit with higher and higher insurance costs, they will have less and less to invest in needed rehabilitation.

POINTS RELATED TO PENNSYLVANIA

Sixty percent of Pennsylvania's short line and regional railroad infrastructure is in need of extensive rehabilitation, including more than 170 bridges. Over 300 rail crossings require significant rehabilitation. Excluding the Bessemer & Lake Erie and Delaware & Hudson railroads, both of which have heavy load infrastructures, almost one third of Pennsylvania's short lines and regionals cannot effectively handle the heavier 286,000-pound cars that are becoming the new standard in the industry.

A recent survey of the state's short lines indicate that infrastructure needs total some \$280 million, and over 40% of those projects could be initiated in the immediate future.

More than 540,000 carloads of hazardous materials cross Pennsylvania's rail system each year.

The most modest forecasts for the movement of freight by the Federal Highway Administration indicate that increases of up to 70% can be expected in the Northeast over the next ten years. This growth will severely congest the national transportation network unless investments are made today. Railroads remain the safest and most viable mode for transporting hazardous materials, coal, industrial raw materials and bulk commodities. Investment in rail infrastructure is an investment in the country's economic future.

AMENDMENT NO.—

(Purpose: To provide additional funding for capital grants for rehabilitation, preservation, or improvement of railroad track of class II and class III railroads)

At the appropriate place, insert the following:

SEC. . There is appropriated to the Department of Transportation for the Federal Railroad Administration for fiscal year 2002, out of any funds in the Treasury not otherwise appropriated, \$350,000,000 for capital grants to be made by the Secretary of Transportation for rehabilitation, preservation, or improvement of railroad track (including roadbed, bridges, and related track structures) of class II and class III railroads. Funds appropriated by the preceding sentence shall remain available until expended.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. We are recessing at 2 p.m. Has the Senator completed his statement?

Mr. SPECTER. I have. I thank the Chair and yield the floor.

Mr. REID. Mr. President, I ask unanimous consent that at 4 p.m. Senator BYRD be recognized to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 1:59 p.m., recessed until 3:59 p.m. and reassembled when called to order by the Presiding Officer (Mr. JOHNSON).

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized.

BIOLOGICAL WEAPONS CONVENTION-NUCLEAR ARMS TREATIES

Mr. BYRD. Mr. President, the Nation's attention is focused on the threat of biological weapons. The pernicious nature of these types of weapons has been shown in the anthrax-laced mailings that were sent to the office of the majority leader, TOM DASCHLE, NBC news in New York, and American Media in Florida, which have resulted in contamination of a number of post offices in Washington, D.C., New Jersey, Florida, and perhaps elsewhere.

One question is on all American's minds: how can we defend ourselves against a threat that is literally microscopic? In the days of the Cold War, we became accustomed to being able to quantify the threats posed to the United States: we could count the number of Soviet missiles, bombers, tanks, and soldiers, and respond by increasing the capabilities of our own military.

But now, the threat to our security has changed. We can not quantify this threat and we can not track its movements until it might be too late. Building up our military will not affect our security from biological weapons. We must adjust our thinking on how to deal with these abhorrent weapons of pestilence.

Mr. President, remember that Jesus said: You shall hear of wars and rumors of wars, but the end is not yet. For nation will rise against nation and kingdom against kingdom. There will be famines and pestilences and earthquakes.

Pestilences, that is what I am talking about; germ warfare, viral warfare, anthrax. Building up our military, I said, will not affect our security from these pestilences. We must adjust our thinking, I say again, on how to deal with these abhorrent weapons of pestilence.

We do not yet know for certain whether the anthrax attacks were carried out by foreign or domestic agents, by someone across the seas or someone in our midst. We also do not know when the next biological weapons attack might happen, what type of germs or viruses might be used, or who might be planning it. But the U.S. must take action. The time is right now, in the midst of intensified international condemnation of the use of biological weapons, to form an international regime to eliminate the manipulation of nature for violent purposes.

Over 140 countries have signed the Biological Weapons Convention of 1972. It is one of the simplest arms control treaties in existence. Parties of the treaty agree not to develop or retain any biological toxins or agents that are to be used for other than peaceful purposes. There are no means to verify this binding commitment, but the Convention has succeeded in its limited purpose by confirming among most of the world that biological weapons are abhorrent to all mankind.

Negotiations began in 1995 on how to add a binding protocol to the Biological Weapons Convention to create a regime that would verify compliance with the treaty. Parties to the Convention would thereby submit themselves to the same kinds of inspections that are conducted at nuclear facilities under the Nuclear Non-Proliferation Treaty and chemical facilities under the Chemical Weapons Convention. The purpose of these inspections would be to assure the whole wide world that potentially dangerous microbes, which are needed to conduct scientific and medical research, are handled in a safe manner, and are not being diverted to nefarious purposes.

Representatives at the last conference on the Biological Weapons Convention, which took place in July, hoped to gain consensus on the final text of the protocol, which may open for signature within weeks. The results of that conference were disappointing. Rather than negotiating toward the resolution of many outstanding issues on the protocol, the Bush Administration took the view that no protocol would be preferable to a negotiated protocol. Like much of the world, I was left wondering whether this Administration takes arms control seriously.

I am pleased to see that on November 1, the Administration unveiled a number of proposals to complement the Biological Weapons Convention. These voluntary measures are well-intentioned and they make sense. However, they do not go far enough.

I am wary of addressing our urgent and serious national security concerns simply through voluntary measures by foreign countries. With no formal multilateral protocol to spell out exactly what each country's responsibilities are, I fear that the future of the international ban on biological weapons will be a patchwork quilt of full compliance, non-compliance, half-measures, and more talk and less action. This could ultimately leave us even less secure from these horrific weapons.

There are other important treaty matters before our country. We are closing in on an agreement with Russia for sharp reductions in our nuclear stockpiles, and negotiations will continue on altering the Anti-Ballistic Missile Treaty of 1972 to allow increased national missile defense testing. These deals, if concluded, would be a major development in our relationship with Russia and have a major impact on geopolitics. The strategic arms of the two biggest nuclear powers would be cut to between 1,700 and 2,200 warheads, which is less than a third of our present level. We have not had as few as 2,000 strategic warheads in our nuclear arsenal since 1955.

I am not against reducing the nuclear stockpile. I am not against reducing the number of missiles, the number of warheads. I am not against that. But as important as this agreement would be, I am shocked by the President's view that an agreement on arms reductions need not be on paper. Legally and